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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,416	06/15/2001	Petrus Van Beek	KLR 7146.100	8410

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EXAMINER

HOMERE, JEAN RAYMOND

ART UNIT	PAPER NUMBER
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2177

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DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,416

Applicant(s)

BEEK ET AL.

Examiner

Jean R. Homere

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on 08/12/02 and 03/21/02 was timely filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

3. The abstract of the disclosure is objected to because it fails to be in narrative form, and further fails to meet the required minimum of words. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

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- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-3 and 15-17 are rejected under 35 U.S.C. 102(a) as being anticipated by JPEG 2000 Image Coding System Final Committee Draft Version 1.0, 16 March 2000 (IT-JPEG2000, hereinafter), supplied by applicant in IDS, paper no. 6.

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As to claim 1, IT-JPEG2000 teaches a JPEG2000 file having a plurality of boxes containing data suitable to render an image wherein one of said boxes is a metadata box, which contains information describing the content of the image (page 140, section 1.4.5 et seq.)

As to claim 2, IT-JPEG teaches that the information is in XML format (page 144, table 1.2, XML Box).

As to claim 3, IT-JPEG teaches that the JPEG2000 file is compliant with the JPEG2000 standard (page 137, section 1.1 et seq.)

As to claim 15, IT-JPEG2000 teaches a JPEG2000 file having a plurality of boxes containing data suitable to render an image wherein one of said boxes is a UUID box, which contains information describing the content of the image (page 158, section 1.9.2, 1.9.3 et seq.)

7. The limitations of claims 16-17 have already been discussed in the rejection of claims 1-3 and 15 above. They are therefore rejected for the same reasons.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 4-14, 18-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over IT-JPEG2000 as applied to the rejection of claims 1 and 15 above in view of Qian et al. ("Qian"), US Patent No. 6,070, 167, supplied by Applicant in IDS, paper no. 7.

As to claims 4-5, IT-JPEG2000 does not particularly teach that the information provides interactivity with the image, wherein said interactivity includes a bounding region of a portion of the image. However, Qian teaches an analogous system wherein a boundary portion of an image is disclosed to thereby depict an interactivity between said region and the image (col. 6, lines 12-14 et seq.) It would have been obvious to one of ordinary skill in the art of data processing to combine the teachings of the cited references. Qian's teaching of boundary region for an image would allow users of IT-JPEG2000's system to readily ascertain the limits of said image, as well as its coordinates and dimensions, as suggested by Qian in column 5, line 60-column 6, line 1.

As to claim 6, Qian teaches that the bounding region is rectangular (col. 6, lines 22-26 et seq.)

As to claim 7, Qian teaches additional information regarding content associated with the bounding region of the image (col. 6, lines 32 et seq.)

As to claim 8, Qian teaches link information external to the JPEG2000 file (col. 6, line 31 et seq.)

As to claim 9, Qian teaches that the information includes voice annotation (col. 6, line 32 et seq.)

As to claim 10, Qian teaches that the information includes object boundary information (col. 6, lines 12-14 et seq.)

As to claim 11, Qian teaches that the information includes textual information regarding the content of the image free from copyright information (col. 6, line 33 et seq.)

As to claim 12, Qian teaches that the information includes MPEG7 data (col. 6, lines 32-33 et seq.)

As to claim 13, Qian teaches that the MPEG7 data is compliant with the MPEG7 specification (col. 6, lines 58-61 et seq.)

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As to claim 14, Qian teaches that the information includes binary data (col. 6, lines 2-16 et seq.)

10. The limitations of claims 18-28 have already been discussed in the rejection of claims 4-14 above. They are therefore rejected for the same reasons.

11. Claims 29-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over IT-JPEG2000 in view of Qian.

As to claim 29, IT-JPEG2000 substantially discloses the claimed invention including a JPEG2000 file, which is compliant with the JPEG2000 specification having a plurality of boxes containing data suitable to render an image (page 148, section 1.7.3.3). IT-JPEG2000 does not particularly disclose that one of the boxes contain an MPEG7 compliant description scheme. However, Qian discloses an analogous system wherein the MPEG7 data is compliant with the MPEG7 specification (col. 6, lines 58-61 et seq.) It would have been obvious to one of ordinary skill in the art of data processing to combine the teachings of the cited references. Qian's teaching of MPEG7 compliant data would allow users of IT-JPEG2000's system to readily ascertain that the JPEG image is compatible with the MPEG7 data format files.

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As to claims 30-31, IT-JPEG teaches a metadata box (page 140, section 1.4.5) and a UUID box, which contains information describing the content of the image (page 158, section 1.9.2, 1.9.3 et seq.), wherein said information is in XML format (page 144, table 1.2, XML box).

As to claims 32-33, Qian teaches an analogous system wherein a boundary portion of an image is disclosed to thereby depict an interactivity between said region and the image (col. 6, lines 12-14 et seq.)

As to claim 34, Qian teaches that the bounding region is rectangular (col. 6, lines 22-26 et seq.)

As to claim 35, Qian teaches additional information regarding content associated with the bounding region of the image (col. 6, lines 32 et seq.)

As to claim 36, Qian teaches link information external to the JPEG2000 file (col. 6, line 31 et seq.)

As to claim 37, Qian teaches that the information includes voice annotation (col. 6, line 32 et seq.)

As to claim 38, Qian teaches that the information includes object boundary information (col. 6, lines 12-14 et seq.)

As to claim 39, Qian teaches that the information includes textual information regarding the content of the image free from copyright information (col. 6, line 33 et seq.)

As to claim 40, Qian teaches that the information includes binary data (col. 6, lines 2-16 et seq.)

12. The limitations of claims 41-59 have already been discussed in the rejection of claims 29-40 above. They are therefore rejected for the same reasons.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean R. Homere whose telephone number is (703)-308-6647.

The examiner can normally be reached on Monday-Friday from 09:30 a.m.-6:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on Monday-Friday from 8:00 a.m. to 3:30 p.m. at (703)-305-9790.

Any response to this action should be mailed to: Commissioner of Patents and Trademarks
Washington, D.C. 20231, **or faxed to:** (703) 872-9306. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Jean R. Homere
Primary Examiner, A.U. 2177
March 16, 2004